

Action Item

Governmental Relations Committee

Legislative Update, June 2002

This agenda item reports to the Governmental Relations Committee and the Commission about bills introduced in the 2001-2002 Legislative Session on issues affecting California postsecondary education.

This item is organized into six parts:

Part One pages 1-2, discusses highlights of the legislative session.

Part Two, pages 3-5, presents a matrix of key bills during the 2001-02 legislative session.

Part Three, pages 7-10, contains a brief summary of each postsecondary education bill listed on the matrix.

Part Four pages 11-13, lists the members of the legislative committees that will hold hearings on postsecondary education-related bills.

Part Five page 15, is an index of the bills in this agenda item.

Recommended action: Committee and Commission adoption of the recommended positions on bills on the matrix.

Presenter: Marge Chisholm.

LEGISLATIVE UPDATE, JUNE 2002

*A Report to the Governmental
Relations Committee of the California
Postsecondary Education Commission*

CALIFORNIA POSTSECONDARY EDUCATION COMMISSION
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1 Legislative Highlights

Legislative Deadline and Calendar

The Legislature has begun its busiest time of the year. Bills from last year, as well as newly introduced bills, are going through the committee process and being heard on the floors of the two houses. In addition, as the deficit in the State Budget grows larger, the Assembly and Senate Subcommittees on Education are carefully scrutinizing and making decisions on all areas of the proposed Governor's Budget.

A number of deadlines are approaching: The last day for a bill to be passed out of its "house of origin" was May 31, the deadline for passage of the Budget Bill is June 15, and the last day for a legislative measure to qualify for the general election is June 27. The Legislature is scheduled to take a 30-day summer recess from July 5 to August 5, when members will return to finish their business. All bills must be passed by the Legislature by August 31, after which the Legislature recesses and adjourns its 2001-2002 session. The last day for the governor to sign or veto bills is September 30. Members will return on December 2 for the official convening of the 2003-2004 Regular Session.

The following section provides information on two issues of significant interest to the Commission. Both items are proposed initiatives for the November 2002 general election.

Kindergarten- University Public Education Facilities Bond Acts of 2002- 2004

State lawmakers and Governor Davis have approved Assembly Bill 16, a proposal to place the two largest general obligation bond measures in California history before voters in separate elections in 2002 and in 2004. The bill authorizes bonding of a total of \$25.3 billion (\$13.05 billion on the 2002 statewide general election ballot and \$12.3 billion on the 2004 direct primary election ballot). Funds would be used for public school, college and university construction and maintenance projects. The highest bond measure on record in California was the 1998 education bond initiative for \$9.2 billion.

Assembly Bill 16 also authorizes \$651 million in lease revenue bonds from the Public Buildings Construction Funds to be used for higher education projects. Allocation of these funds does not require voter approval.

If California voters approve the education bond measure in November, higher education institutions will receive \$1.65 billion in general

obligation bonds. The 2004 measure would yield \$2.3 billion for higher education. This bond measure differs from the traditional distribution in which the three public systems received equal portions of the bond revenues. In this proposal, the community college segment will receive approximately 40 % of the revenue, with the university segments receiving 30 % each.

Additionally, Assembly Bill 16 contains provisions that specifically enable the three public segments of higher education to utilize bond proceeds for construction of facilities that may be used by more than one segment of public higher education. Further, the bill calls for the higher education segments to annually consider, as part of their annual capital outlay planning process, the inclusion of facilities that may be used by more than one segment of public higher education and to report their findings to the budget committees of each house of the Legislature.

Racial Privacy Initiative

A constitutional amendment to prohibit government agencies from classifying individuals by race, ethnicity, color or national origin, is in the process of qualification for the November 2002 general election ballot. Named the Racial Privacy Initiative, the proposal would affect public education, public contracting and public employment operations. Petitions to place the Racial Privacy Initiative on the ballot have been submitted to each county elections office, which in turn must submit the total number of signatures to the Secretary of State. If the Secretary of State determines that sufficient signatures have been gathered by June 24, the proposal will be placed on the November ballot.

If passed on the fall 2002 ballot, this constitutional amendment would prohibit racial check-off boxes on State of California and local government forms by the year 2005 with explicit exemptions for medical research and treatment, law enforcement and the Department of Fair Employment and Housing. The definition of 'state' includes any city, county, city and county, public university system, community college district, school district, special district or any other political subdivision or governmental instrument within the state.

An exemption to the prohibition of classification by race, ethnicity, color or national origin may occur if the Legislature specifically identifies a compelling State interest, and approves the classification by a 2/3 majority in both houses. The governor must also approve the exception. Further, nothing in this proposal shall be interpreted as prohibiting action which must be taken to comply with federal law, or to establish or maintain eligibility for any federal program where ineligibility would result in a loss of federal funds to California.

2 Matrix of Selected Legislation

This section of the Legislative Update presents a matrix of bills tracked by the Commission during the second half of the 2001-2002 legislative session. It consists of bills that reflect the Commission's legislative priorities, its sponsored legislation, and other key measures affecting postsecondary education.

Brief summaries of the bills listed on the matrix are in the following section.

MATRIX 2001-2002 LEGISLATIVE BILLS

[illegible]

15.	*SB 631	Polanco	Exchange Program with Mexico	Watch	X	X	X	X	X	P	On Senate Inactive File.
16.	SB 844	Chesbro	Ed. Facilities Bond Act of 2002	Support, if amended	X	X	X	X	X	P	Changed subject from a Bond bill to a Veterans bill.
17.	SB 1339	Vasconcellos	Postsecondary Education Admissions Requirements	Support	X	P					Pending consideration in Senate Appropriations Committee.
18.	SB 1731	Alarcon	Higher School Graduation Requirements	Support, in concept	P						Hearing set on 5/8/02 in Senate Education Committee.
19.	*SB 1819	Romero	Privacy and Exchange Agreement for Data	*Support	P						Pending consideration in Senate Education Committee.
20.	*SB 1820	Romero	Data Collection on Retention and Support Programs	*Support	X	P					Pending consideration in Senate Appropriations Committee.

7-May-02

X-Indicates Action Taken

* CPEC Involvement

H-Indicates Held in Committee

P-Indicates Pending Consideration in Committee

F-Indicates Failed Passage in Committee

Newly added bills are in bold.

Bills that will be removed from the matrix are shaded grey.

Legislative Bill Summaries

1. Assembly Bill 16 Subject: K-University Facilities Bond Act
Author: Hertzberg Version: 3/20/02

AB 16 would enact a Kindergarten-University Public Education Facilities Bond Act of 2002, to become operative only if approved by the voters at the March 5, 2002, direct primary election. Signed by Governor Davis on April 26, 2002.

2. Assembly Bill 195 Subject: Student Fees
Author: Alquist Version: 7/18/01

AB 195 would establish a State policy regarding undergraduate student charges at the California Community Colleges and the California State University.

3. ~~Assembly Bill 1080~~ Subject: Financial Aid: Cal Grant Program
~~Author: Kehoe~~ Version: 4/23/01

~~AB 1080 would require, with respect to Cal Grant C awards, that the Student Aid Commission seek to establish a continuous Cal Grant C application process. It would provide application deadlines for the time period preceding establishment of the continuous application process.~~

4. ~~Assembly Bill 1299~~ ~~Subject: Public Education Facilities Funding~~
~~Author: Leonard~~ ~~Version: 5/31/01~~

~~AB 1299 would state the intent of the Legislature to continue to provide funding for the construction and modernization of school providing education to pupils in kindergarten through 12th grade, and to enact a funding distribution formula that addresses the needs of the public institutions of higher education.~~

5. Assembly Bill 1747 Subject: Higher Education Needs Study
Author: Briggs Version: 4/10/02

AB 1747 would require the Commission to conduct a study of the state-wide need for new higher education facilities, including an inquiry into the particular needs of Tulare County. In addition, the bill would require the Commission to submit the report to the Legislature by July 1, 2003. The bill appropriates \$250,000 from the General Fund to the Commission for expenditure in the 2002-03 fiscal year to complete the required report.

6. Assembly Bill 1766 Subject: Student Cal Grant A and B Awards
Author: Higher Education Committee Version: 3/18/02

AB 1766 would require that all 22,500 Competitive Cal Grant A and B Awards be activated each year. Unused awards would be redistributed to other eligible Cal Grant applicants who were not funded the first time.

7. Assembly Bill 1894 Subject: Mandatory Undergraduate Student Charges
Author: Bogh Version: 2/6/02

AB 1894 would establish a state policy with regard to mandatory system wide undergraduate student charges at the University of California and the California State University.

8. Assembly Bill 1991 Subject: Student Cal Grant A and B Awards
Author: Liu Version: 4/10/02

AB 1991 would require the Student Aid Commission to provide information with respect to award payment options to all students who receive Cal Grant A or B awards. The bill would also allow an individual selected for a Cal Grant A award who enrolls in a community college to use part of that award for up to 2 academic years of full-time study. The remainder of the grant could be used for up to three years at a degree granting institution. It would also require the Student Aid Commission to maintain a database with information for recipients.

9. Assembly Bill 2026 Subject: Center for Chicano Studies
Author: Longville Version: 2/15/02

AB 2026 would establish in legislation a Center for Chicano Studies at California State University, San Bernardino, with non-public funds or with other funds that the California State University, San Bernardino is authorized to expend for this purpose.

10. Assembly Bill 2115 Subject: Athletic Team Names and Mascots
Author: Goldberg Version: 5/1/02

AB 2115 would require that all public schools, California Community Colleges, the California State University, and the University of California, if agreed upon by the Regents, be prohibited from using specified American Indian names for school or athletic team, names, mascots, or nicknames. This bill would require the State Board of Education and the Commission to jointly create, maintain, and annually augment a list of school or athletic team names, mascots, and nicknames that they determine to be derogatory or discriminatory against any race, ethnicity, nationality, or tribal group.

fornia. The bill would require students to meet current admission requirements and exempt Mexican residents from non-resident tuition. It would also authorize Mexican students to be eligible for financial assistance that is available to State residents. The Commission would be required to submit the proposal to the Legislature on or before October 1, 2002. The bill appropriates \$75,000 to the Commission to develop the proposal.

16. ~~Senate Bill 844~~ ~~Subject: Ed. Facilities Bond Act of 2002~~
~~Author: Chesbro~~ ~~Version: 8/27/01~~

~~SB 844 would enact a Kindergarten-University Public Education Facilities Bond Act of 2002, to become operative only if approved by the voters at the March 5, 2002, direct primary election.~~

17. Senate Bill 1339 Subject: Postsecondary Education Admissions
Author: Vasconcellos Version: 5/7/02

SB 1339 would request the University of California to assist school districts to ensure that districts maintain accurate "A-G" course lists and that such lists are made available to students, as specified.

18. Senate Bill 1731 Subject: High School Graduation Requirements
Author: Alarcon Version: 4/18/02

SB 1731 require a school district to enroll all pupils in "college readiness curriculum," as defined, unless a pupil chooses not to follow this curriculum and instead completes existing course requirements after the pupil and his or her parent or guardian are informed of the consequences of the choice, and the pupil, his or her parent or guardian, and a school counselor or school administrator consent in writing to that decision.

19. Senate Bill 1819 Subject: Privacy and Exchange Agreement for Data
Author: Romero Version: 4/10/02

SB 1819 would require the commission to collect data about the state's high school graduation and college enrollment growth. It would require the data to be disaggregated according to race, ethnicity, and gender. In addition, the bill would require the Commission to collaborate with state demographers to present this data and to report this information to the Legislature annually.

20. Senate Bill 1820 Subject: Data Collection on Retention and Support Prog.
Author: Romero Version: 4/24/02

SB 1820 would require the California State University, the California Community Colleges, the University of California and the Association of Independent California Colleges and Universities to collect graduation and persistence rate data for each campus and across their respective segments and report this data to the Commission.

4 Committee Membership

THIS PART of the Legislative Update lists the members of the legislative policy and fiscal committees for higher education.

Senate Appropriations Committee

Dede Alpert, Chair
Jim Battin, Vice-Chair
Debra Bowen
John Burton
Martha M. Escutia
Maurice Johannessen
Ross Johnson
Betty Karnette
Bruce McPherson
Kevin Murray
Don Perata
Charles Poochigian
Jackie Speier

Senate Budget and Fiscal Review Committee

Steve Peace, Chair
Dick Ackerman, Vice-Chair
Wes Chesbro
Joe Dunn
Ray Haynes
Sheila Kuehl
Bob Margett
Bruce McPherson
Jack O'Connell
Deborah V. Ortiz
Richard Polanco
Byron D. Sher
John Vasconcellos

Senate Budget and Fiscal Review Subcommittee No. 1 on Education

Jack O'Connell, Chair
Bob Margett
John Vasconcellos

Senate Education Committee

John Vasconcellos, Chair
Bruce McPherson, Vice-Chair
Richard Alarcon
Deirdre Alpert
Wes Chesbro
Ray Haynes
Betty Karnette
William "Pete" Knight
Dick Monteith
Jack O'Connell
Deborah V. Ortiz
Jack Scott
Byron D. Sher
Edward Vincent

Senate Education Subcommittee on Higher Education

Jack Scott, Chair
Bruce McPherson
Dick Monteith
Jack O'Connell
Debra Ortiz
John Vasconcellos

Senate Select Committee on Admissions and Outreach

Richard Alarcon, Chair
Bruce McPherson
Bill Morrow
Steve Peace
Richard Polanco
Jack Scott
Vacancy

Assembly Appropriations Committee

Darrell Steinberg, Chair
Patricia C. Bates, Vice-Chair
Elaine Alquist
Dion Aroner
Roy Ashburn
Rebecca Cohn
Ellen M. Corbett
Lou Correa
Lynn Daucher
Manny Diaz
Marco Firebaugh
Jackie Goldberg
Abel Maldonado
Gloria McLeod-Negrete
Robert Pacheco
Lou Papan
Fran Pavley
George Runner
S. Joseph Simitian
Carl Washington
Patricia Wiggins
Roderick Wright
Charlene Zettel
Vacancy

Assembly Budget Committee

Jenny Oropeza, Chair
John Campbell, Vice-Chair
Dion Aroner
Patricia Bates
Joe Camciamilla
Tony Cardenas
Gil Cedillo
Wilma Chan
Judy Chu
David Cogdill
Lynn Daucher
Manny Diaz
John Dutra
Dean Florez
Mario Frommer
Jackie Goldberg
Tom Harman
Fred Keeley

Christine Kehoe
David G. Kelley
Jay La Suer
Bill Leonard
Abel Maldonado
George Nakano
Robert Pacheco
Rod Pacheco
Lou Papan
Fran Pavley
Keith Stuart Richman
George Runner
S. Joseph Simitian
Roderick Wright

Assembly Budget Subcommittee #2 on Education Finance

Joseph Simitian, Chair
Wilma Chan
Lynn Daucher
Jackie Goldberg
Bill Leonard
Jenny Oropeza

Assembly Education Committee

Virginia Strom-Martin, Chair
Lynne C. Leach, Vice-Chair
Elaine Alquist
Thomas M. Calderon
Bill Campbell
Lou Correa
Jackie Goldberg
Carol Liu
Rod Pacheco
Fran Pavley
Sarah Reyes
Simon Salinas
Juan Vargas
Mark Wyland
Charlene Zettel

Assembly Higher Education Committee

Elaine Alquist (Chair)
Russ Bogh, Vice-Chair
Sally Havice
Hannah-Beth Jackson
Carol Liu
Alan Lowenthal
Barbara Matthews
Gloria McLeod-Negrete
Robert Pacheco
Tony Strickland
Phil Wyman

Sen. Steve Peace, Chair
Sen. Dick Ackerman
Sen. Deirdre Alpert
Sen. Jim Battin
Sen. K. Maurice Johannessen
Sen. Jack O'Connell
Sen. Richard Polanco
Sen. John Vasconcellos

Asm. Jenny Oropeza, Vice-Chair
Asm. Roy Ashburn
Asm. Patricia C. Bates
Asm. John Campbell
Asm. Jackie Goldberg
Asm. Fred Keeley
Asm. Carole Migden
Asm. Roderick Wright

Joint Committees

Joint Committee to Develop a Master Plan for Education - Kindergarten - University

Sen. Deirdre Alpert, Chair
Sen. Richard Alarcon
Sen. Betty Karnette
Sen. William "Pete" Knight
Sen. Bruce McPherson
Sen. Kevin Murray
Sen. Jack O'Connell
Sen. Charles Poochigian
Sen. John Vasconcellos

Asm. Elaine Alquist, Co-Vice Chair (Hi.Ed.)
Asm. Virginia Strom-Martin, Co-Vice Chair
(K-12)
Asm. Lynn Daucher
Asm. Dean Florez
Asm. Lynne C. Leach
Asm. Carol Liu
Asm. George Nakano
Asm. Sarah Reyes
Asm. George Runner

Joint Committee on Legislative Budget

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